



**A Publication of the
BOARD OF NURSING**

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Governor Tommy Thompson Appoints New Board Members

She's back!!! After a two year absence, Jackie Johnsrud is returning to the Wisconsin State Board of Nursing as a RN representative. Currently, she is the Director of Patient Services at Prairie du Chien Memorial Hospital. Jackie is President of the National Rural Nursing Association and current legislative chairperson for the Wisconsin Organization of Nurse Executives. On a personal note, Jackie is married, mother of three grown children, and doting grandmother of two granddaughters. Jackie and her husband, DuWayne, live and work on a farm in rural Eastman. In her "spare" time she loves to garden, read, hunt, fly fish, and play bridge.

June Bahr, a Fond du Lac native, was appointed to one of the two Licensed Practical Nurse positions on the

Board of Nursing by Governor Tommy Thompson for a four year term beginning July 1, 1998. An LPN for twenty-two years and employed by Agnesian Health Care at St. Agnes Hospital, Fond du Lac, she has enjoyed working in Med-Surg, Orthopedics, Physical Rehabilitation and now in the GI Lab/Local Procedure Services area. She has been a member of the LPN Examining Council for nine years, serving as Chair and vice-Chair, and has been active in the Wisconsin Association of Licensed Practical Nurses (WALPN). She just completed a term as Vice President of WALPN, has been Chair of the Revisions and Nominating Committees as well as serving on Education and Membership Committees. She also was elected as a Delegate to the National Federation of Licensed Practical Nurses Convention for the past three years. Married to Richard Bahr, she has two grown daughters, Shelly and Melissa, and a cat named Albert. With her church she and her husband both assist in preparing and serving a free evening meal to the committee with Loaves and Fishes, and June also is a new volunteer for the Samaritan Free Health Clinic. Spending time with her family, especially her two little nieces and nephew, traveling, attempting to grow interesting annual and perennial flowers, and cheering on her favorite drivers in the Fed Ex CART Indy Car Races are the things June likes to do best in her free time.

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Access to Health Care Records

Wisconsin statute 146.83 concerning access to health care records has been amended by 1997 WI Act 157 to require that health care providers release records directly to a patient's health care provider upon request and with a statement of informed consent. The amendment also prohibits concealing or withholding health care records from a patient's health care provider or to prevent or obstruct an investigation or prosecution. Violations of the statute as amended still include actual damages and exemplary damages along with injunctive relief. This amendment was effective in April 1998. Copies of 1997 WI Act 157t are available from the department or via internet at the www.state.wi.us under "legislature."

Tax Delinquency, A New Basis for Denial, Suspension And Revocation

Since 1996, the law has required the department to verify that applicants for credential renewal are not delinquent in payment of Wisconsin state taxes. The department is required to deny renewal if the Department of Revenue certifies that an applicant is tax delinquent.

Effective January 1, 1999, the scope of the law will expand to apply to other state agencies, including the Department of Transportation and the Department of Natural Resources. The law will also change to include applicants for new credentials and current credential holders. After January 1, 1999, the Department of Regulation and Licensing is required to deny the applications for an initial credential if the applicant is certified by the Department of Revenue as being liable for delinquent state taxes. The Department will also be required to revoke the credential of current credential holders who are tax delinquent.

A person denied or revoked because of a tax delinquency status may request the Department of Revenue to review the certificate of tax delinquency at a hearing.

The text of the new law is in 1997 Wisconsin Act 237 at section 307 and sections 532-551. Act 237 is available in most public libraries and can be viewed on the Internet at <http://www.legis.state.wi.us/billtext/acts/97acts.html>.

Law Sanctions Professionals With Delinquent Support

In April 1998, legislation was enacted which provides for suspension of credentials for failure to pay family support or for failure to comply with a subpoena or warrant related to paternity or support proceedings. The determination of failure to pay support or failure to comply with a warrant or subpoena will be made by county support agencies or the Department of Workforce Development.

The Department of Workforce Development, after proper notice and provision for hearing, will certify to the Department of Regulation and Licensing that a professional who holds a credential issued by the department, or who is applying for a credential, is delinquent in family support or has failed to comply with a subpoena or warrant. The department then shall restrict, limit or suspend a credential or deny an application for an initial credential or for renewal of a credential. The credentials will remain restricted, limited or suspended until the department receives notification of release from the Department of Workforce Development. However, credentials shall not be sanctioned for more than five years if instituted because of delinquency in support, or for more than six months if instituted for failure to comply with a subpoena or warrant. 1997 WI Act 191 became effective in April 1998.

The text of the new law, 1997 Wisconsin Act 191, is available in most public libraries and can be viewed on the Internet at <http://www.legis.state.wi.us/billtext/acts/97acts.html>.

Department to Collect Social Security Numbers

The new family support collection act requires the Department of Regulation and Licensing to collect social security numbers from all individuals who apply for new credentials. Applications from individuals who do not submit their social security number will be denied. The social security numbers collected may be disclosed only to the Department of Workforce Development for the purpose of enforcing the Family Support Collection Act, or to the Department of Revenue for the purpose of checking for tax delinquencies.

Administrative Warnings May Be Issued Under New Law

Examining boards, the department and other regulatory authorities are authorized to issue administrative warnings under 1997 WI Act 139 effective May 5, 1998. An administrative warning may be issued to close an investigation if a regulatory authority determines that no further action is warranted because the complaint involves a first occurrence of a minor violation and the warning adequately protects the public.

Under the new law, an administrative warning puts the professional on notice that if the misconduct is repeated, the incident that was the basis for the warning can be used to prove that the person warned knew the conduct was prohibited. A warning is not discipline and may be issued without a formal complaint or a hearing. The contents of the warning shall be private and confidential.

A credential holder may have a warning reviewed before the department or board that issued the warning. The law requires the department to promulgate rules

LONE ROCK WI SUSPENDED
Convicted of one count of forgery, a misdemeanor, and one count of intentional falsification of a health care record, a misdemeanor. Suspend not less than 6 months. Also limited. Effective 1/30/98. Sec 441.07(1)(b) and (d), Stats. N 7.04(1), (13), (14) and (15) Case #LS9708201NUR.

STURGEON BAY WI LIMITED
Experienced periods of physical and emotional illness for which she sought treatment. Incidents were reported to the supervisor that she appeared confused during medication administration as to whether the medications had been given to several patients. Resulted in her termination. Limited. Effective 5/8/98. Sec. 441.07(1)(b) and (c), Stats. N .03(1)(a) and (b) and N 7.04(15). Case #LS9805081NUR.

HARTLAND WI LIMITED
Did not meet the minimum standard of practice because the criterion for safe medication administration was not followed, i.e., incorporating the procedure of checking the labeling of the medication, both front and back, three times against the Medication Administration Record. Ordered to complete an approved course of evaluation and training in medication administration. Also reprimanded. Effective 11/13/97. N 7.03 and N 7.04(15) Case #LS9711135NUR.

RACINE WI LIMITED
Did not perform or supervise the performance of care to patients believing that nurses on the previous shift had taken charge of the detail. Limited. Effective 5/8/98. N 7.03(1) Case #LS98050812NUR.

MILWAUKEE WI REPRIMAND
Failed to administer ordered medications and failed to make appropriate documentation in patient records. Required constant supervision due to major medication errors. Ordered to complete training. Engage in direct patient care only under the supervision of a registered nurse. Effective 1/30/98. Sec. 441.07(1)(b) to (d), Stats. N 7.03(1)(a) to (d) and N 7.04(1) and (15) Case #LS9801306NUR.

RACINE WI REVOKED
Convicted of two counts of Second Degree Sexual Assault-Sexual Contact by an Employee to a Patient of an Inpatient Health Care Facility. Sentenced to 10 years in the Wisconsin State Prisons and placed on probation for a 20-year period consecutive to the prison sentence. Effective 11/13/97. Sec. 940.225(2)(g), Stats. N 7.04(1) Case #LS9711131NUR.

PLYMOUTH WI LIMITED
Administered the wrong medication. Discovering the error she suffered a panic attack and placed another

medication in the package and resealed the package. She did not correctly document the medication error. Reprimanded. Ordered to complete a course of training in nursing ethics. Effective 5/8/98. Sec. 441.07(1)(b), (c), (d), Stats. N 7.03(1)(a), (b), (c) and 7.04(2) and (15). Case #LS9805082NUR.

RACINE WI SUSPENDED
Altered a prescription order. Also suffered relapses in her alcohol dependence treatment. Suspended indefinitely. Also limited. Effective 1/30/98. N 7.03(2) and N 7.04(1) and (15) Case #LS9703273NUR.

MILLTOWN WI VOLUNTARY SURRENDER
While on duty she was under the influence of an intoxicant, having a blood alcohol content of 0.16. She declined to obtain an evaluation and resigned from her employment. Effective 5/8/98. Sec. 441.07(1)(b), (c), (d), Stats. N 7.03(2) and N 7.04(15). Case #LS9805081NUR.

KENOSHA WI LIMITED
Her conduct increased the risk of urinary tract infection to a patient. Ordered to complete inservice training. Also reprimanded. Effective 5/8/98. N 7.03(1)(b) Case #LS98050810NUR.

MADISON WI LIMITED
Diverted schedule III controlled substances, Lortab, from her place of employment for her personal use for an existing medical condition. Admitted the theft to her employer. Limited at least one year. Also reprimanded. Effective 5/8/98. Sec. 441.07(b), (d), Stats. N 7.04(1), (2) and (15) Case #LS9805088NUR.

LODI WI VOLUNTARY SURRENDER
Diverted controlled substances from her place of employment for her personal use. Convicted in the Waukesha County Circuit Court of the illegal possession of a controlled substance. Failed to complete an AODA assessment of her condition. Effective 5/8/98. Sec. 441.07, Stats. N 7.03(2), N 7.04(1), (2), (15) Case #LS9805086NUR.

GLENDALE WI SUSPENDED
Diagnosed with alcohol and cocaine dependence. Suspension is stayed with limitations. Effective 1/30/98. N 7.03(2), N 7.04(2) and (15) Case #LS9801305NUR.

MILWAUKEE WI SUSPENDED
Diverted medications from a resident for her personal use. The suspension is stayed with limitations. Effective 1/30/98. N 7.03(2) and N 7.04(1) and (15) Case #LS9801304NUR.

NEW BERLIN WI VOLUNTARY SURRENDER
Employment terminated. Unable to perform her nursing duties. Tampered with two bottles of morphine sulfate, but she denies the allegation. Effective 5/8/98. Sec. 441.07(1)(b), (c), (d), Stats. N 7.03(1)(a), N 7.04(2) and (15) Case #LS9805083NUR.

MADISON WI SURRENDER
Diverted controlled substances from her place of employment for her personal use. Is not currently practicing and surrenders her license. Effective 11/13/97. Sec. 441.07, Stats. N 7.03(2), N 7.04(1), (2) and (15) LS9711132NUR.

JANESVILLE WI SUSPENDED
Diverted controlled substances from patient supplies for her personal use. The suspension is stayed with limitations. Effective 1/30/98. N 7.03(2) and N 7.04(1), (2) and (15) Case # LS9801303NUR.

WEST ALLIS WI SUSPENDED
Diverted medication for her own use. Replaced the medication with saline solution to avoid detection. The suspension is stayed with limitations. Effective 1/30/98. N 7.03(2) and N 7.04(2) and (15) Case #LS9801301NUR.

MILWAUKEE WI SUSPENDED
Was previously disciplined by the board as an impaired practitioner. Suffered a relapse from sobriety in November, 1996. On 6/29/97 while on duty as a registered nurse diverted the Schedule II controlled substance, sufentanil citrate, for his personal use. An evaluation on 7/2/97 resulted in a diagnosis of alcohol dependence syndrome and polysubstance abuse syndrome. Credential to practice as a registered nurse and as an advanced practice nurse prescriber is suspended for a period of not less than 2 years.

The suspension is stayed with limitations imposed. Effective 3/6/98. N 7.03(2) and N 7.04(2) and (15) Case #LS9803061NUR.

GREEN BAY WI SUSPENDED
While on duty diverted Demerol from the medication cabinet for her personal use. Was convicted in Winnebago County Circuit Court of theft. Suspended indefinitely. Stayed for 3 months with limitations. Effective 5/8/98. N 7.03(2), N 7.04(1), (2) and (15) Case #LS9805089NUR.

STURTEVANT WI REPRIMAND
On 5/1/97 her nursing registration expired. She did not renew her registration until on or about 11/9/97. She admits she worked as a licensed practical nurse during

the time her license was expired. She is reprimanded and ordered to pay costs of \$75.00. Effective 3/6/98. Sec. 441.10(3)(b), Stats. N 7.04(15) Case #LS9803054NUR.

MANITOWOC WI SURRENDER
In November of 1997 he admitted to diverting morphine from his place of employment for his personal use. An evaluation resulted in a diagnosis of opiate and alcohol dependence. Is not currently practicing and tenders the voluntary surrender of his license. Effective 3/6/98. Sec. 441.07(1)(b), (c) and (d), Stats. N 7.03(2) and N 7.04 (1),(2) and (15) Case # LS9803063NUR.

BATON ROUGE LA SUSPENDED
On or about 2/17/97, the Louisiana Board of Nursing imposed disciplinary action against her license. Her license is suspended indefinitely. She may petition for a stay of the suspension at any time. Effective 3/6/98. Sec. 441.07(1)(c) and (d), Stats. N 7.03(2) and N 7.04(7) and (15) Case #LS9803062NUR.

MCGREGOR MN VOLUNTARY SURRENDER
The Minnesota board accepted the surrender of her license upon conduct in the performance of her nursing duties. Effective 5/8/98. Sec. 441.07, Stats. N 7.03(1)(a), (b), (c) and N 7.04(15) Case #LS9805084NUR.

MADISON WI LIMITED
Falsely charted that she had completed a dressing change when in fact she had neither changed the dressing nor delegated the task. Complete continuing education by 11/8/98. Also reprimanded. Effective 5/8/98. N 7.03(1)(b) and (d) Case #LS9805087NUR.

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1998 Board Meeting Dates

September 17-18, November 5-6

Wisconsin Statutes and Code

Copies of the Board of Nursing Statutes and Administrative Code can be ordered through the Board Office. Include your name, address, county and a check payable to the Department of Regulation and Licensing in the amount of \$5.28. The latest edition is dated July, 1997.

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